



# **STAFF ANALYSIS**

## **STATE PUBLIC WORKS BOARD**

**Friday, June 11, 2021 at 10:00 a.m.**

***This meeting will take place virtually and can be accessed through the following link or phone numbers\*:***

<https://zoom.us/j/98729522619?pwd=ZHF3aUlnKbDNxN1JJYanRvU1RVOGJrQT09>

**Meeting ID: 987 2952 2619**

**Passcode: .#^@p3s3**

**Or**

**Phone: (669) 219 2599\*\***

**(669) 900 9128\*\***

**(213) 338 8477\*\***

**Meeting ID: 987 2952 2619**

**Passcode: 77601274**

<b>I.</b>	Roll Call		
<b>II.</b>	Bond Items	Page	2
<b>III.</b>	Minutes	Page	2
<b>IV.</b>	Consent Items	Page	2
<b>V.</b>	Actions Items	Page	3
<b>VI.</b>	Other Business	Page	5
<b>VII.</b>	General Public Comment	Page	5
<b>VIII.</b>	Reportables	Page	6

\*Due to the Governor's proclamation of a State of Emergency resulting from the threat of COVID-19, and pursuant to the Governor's Executive Order N-29-20, issued March 17, 2020, the Board meeting will take place virtually on June 11, 2021. Members of the Board will participate in this meeting remotely via telephonic or video conference. The meeting may be observed through the Zoom link and telephone number identified above. If using the Zoom platform, please install the Zoom application and enter the virtual conference room prior to the 10:00 a.m. meeting start time. Members of the public may participate through telephone, the Zoom platform, or by submitting public comment in advance. If members of the public wish to submit comments in advance, the Board asks members of the public to provide written comments to [Kat.Lee@dof.ca.gov](mailto:Kat.Lee@dof.ca.gov) prior to the meeting. To the extent possible, all written comments will be distributed to the members of the Board prior to the meeting.

\*\* This phone number **IS NOT** a toll free number.

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Pursuant to section 11125 of the Government Code, notice of all Board meetings will be given at least ten days in advance and such notice must include a copy of the agenda. Members of the public may address the Board prior to it taking action on any matter in the agenda.

This notice and the Board agenda for the current month are available on the State Public Works Board website. [Please click here to view](#). The full Board member briefing package is available upon request. Please send an email to [Kat.Lee@dof.ca.gov](mailto:Kat.Lee@dof.ca.gov).

Individuals who need disability-related accommodation, including auxiliary aids for effective participation at this public meeting are invited to make their requests and preferences known to Kat Lee at (916) 445-9694 or e-mail to [Kat.lee@dof.ca.gov](mailto:Kat.lee@dof.ca.gov), five days prior to the meeting.

# **BOND ITEMS**

NONE

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## **MINUTES**

Consider approving the minutes from the May 17, 2021 meeting.

Staff have reviewed the minutes from the May 17, 2021 meeting and recommend approval.

**Staff Recommendation:**    **Approve minutes from the May 17, 2021 meeting.**

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## **CONSENT ITEMS**

NONE

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# **ACTION ITEMS**

## **ACTION ITEM—1**

### **HIGH SPEED RAIL AUTHORITY (2665) INITIAL OPERATING SEGMENT, SECTION 1 VARIOUS COUNTIES**

*Authority: 2012 Budget Act, Item 2665-306-0890 (1), as reappropriated by the 2018 Budget Act  
2012 Budget Act, Item 2665-306-6043 (1), as reappropriated by the 2018 Budget Act  
2014 Budget Act, Item 2665-306-3228 (1),  
Section 39719(b) (2) of the Health and Safety Code  
Section 39719.1 of the Health and Safety Code  
Section 15854 of the Government Code*

**Consider the adoption of Resolutions of Necessity authorizing the use of eminent domain by the High Speed Rail Authority to acquire the following properties or interests in property for the High Speed Train System:**

- 1. Yergat Property (Fresno County)**  
**Authority Parcel Number: FB-10-1647-1**  
**Assessor Parcel Number: 334-250-76 (formerly designated as 334-250-66)**
- 2. Yergat Property (Fresno County)**  
**Authority Parcel Numbers: FB-10-1648-1 and FB-10-1649-1**  
**Assessor Parcel Numbers: 334-250-72 and 334-250-78 (formerly designated as 334-250-21 and 334-250-64)**
- 3. Kalebjian Property (Fresno County)**  
**Authority Parcel Numbers: FB-10-1681-1 and FB-10-1681-2**  
**Assessor Parcel Number: 335-090-63 (formerly designated as 335-090-18)**
- 4. HAP Farms Property (Madera County)**  
**Authority Parcel Numbers: MF-20-1273-1 and MF-20-1274-1**  
**Assessor Parcel Number: 048-080-013**

# STAFF ANALYSIS ITEM—1

High Speed Rail Authority  
Initial Operating Segment, Section 1  
Various Counties

## Action Requested

**Adopt Resolutions of Necessity authorizing the use of eminent domain by the High Speed Rail Authority to acquire properties or interests in properties 3 and 4 for the High Speed Train System.**

## Background

Under California Eminent Domain Law, the Board is the governing body of the High Speed Rail Authority (Authority) for purposes of adopting Resolutions of Necessity that are required for the Authority to initiate eminent domain proceedings. To adopt a Resolution of Necessity the Board must consider that the following conditions have been met:

- (A) The public interest and necessity require the project;
- (B) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- (C) The property sought to be acquired is necessary for the project; and,
- (D) The offer required by Government Code section 7267.2 has been made to the owner or owners of record.

The properties are within the right of way for the Initial Operating Segment, Section 1, extending from Madera to Shafter, and are within the preferred alignment as previously approved by both the High Speed Rail Authority Board of Directors and the Federal Railroad Administration. Acquisition of these properties will allow the Authority to move forward with construction of the High Speed Train System (HSTS).

The Authority notified the Board's staff that between November 2020 and February 2021, the respective property owners were provided with a first written offer to purchase the subject property, as required by Government Code section 7267.2. The Authority has informed the Board's staff that negotiations to acquire the property are continuing; however, to keep the project on schedule, the adoption of Resolutions of Necessity to authorize the use of eminent domain is required at this time.

On May 24 2021, Notices of Intent to adopt a Resolution of Necessity were mailed by Board staff to the property owners. These notices were sent in accordance with Code of Civil Procedure section 1245.235.

## ***Property Specific Information:***

### **1. Yergat Property (Fresno County)**

**Authority Parcel Number: FB-10-1647-1**

**Assessor Parcel Number: 334-250-76 (formerly designated as 334-250-66)**

# Property Pulled

**2. Yergat Property (Fresno County)**

**Authority Parcel Numbers:** FB-10-1648-1 and FB-10-1649-1

**Assessor Parcel Numbers:** 334-250-72 and 334-250-78 (formerly designated as 334-250-21 and 334-250-64)

## **Property Pulled**

**3. Kalebjian Property (Fresno County)**

**Authority Parcel Numbers:** FB-10-1681-1 and FB-10-1681-2

**Assessor Parcel Number:** 335-090-63 (formerly designated as 335-090-18)

**Partial Acquisition:** Approximately 0.15 acre in easement

The property interests identified by the Authority Parcel Numbers are needed for a Fresno Irrigation District access road and improvements north of E. Sumner Avenue along the HSR corridor.

**4. HAP Farms Property (Madera County)**

**Authority Parcel Numbers:** MF-20-1273-1 and MF-20-1274-1

**Assessor Parcel Number:** 048-080-013

**Partial Acquisition:** Approximately 1.02 acres in easement

The property interests identified by the Authority Parcel Numbers are needed for underground PGE utility easements along the HSR corridor between Avenue 8 and Avenue 9.

**Staff Recommendation:**

**Adopt Resolutions of Necessity authorizing the use of eminent domain by the Authority to acquire the above described properties or interests in properties for the HSTS.**

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## **OTHER BUSINESS**

**NONE**

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## **GENERAL PUBLIC COMMENT**

# **REPORTABLES**

## **Reportable Items**

**For the June 11, 2021 Board Meeting**

**Actions Authorized by Staff from May 7, 2021 through May 28, 2021**

**As Authorized by Resolution of the Board dated December 13, 2019**

<b><u>Department/Org Code</u></b>	<b><u>Project Title</u></b>	<b><u>Project Authority</u></b>	<b><u>Action</u></b>	<b><u>Amount/(Percent)</u></b>
California Air Resources Board (3900)	Southern California Consolidation Project, Riverside County	2015 Budget Act, Item 3900-301-0044 (1); 2015 Budget Act, Item 3900-301-0115 (1); 2015 Budget Act, Item 3900-301-0421 (1); 2017 Budget Act, Item 3900-301-0115 (1); 2017 Budget Act, Item 3900-301-0668 (1)	Approve an augmentation	\$30,300,000  (7.23 percent of total project appropriations) (9.97 percent cumulative)
Corrections and Rehabilitation (5225)	California Institution for Men, 50-Bed Mental Health Crisis Facility, San Bernardino	2017 Budget Act, Item 5225-301-0001 (9); 2018 Budget Act, Item 5225-301-0001 (8); 2020 Budget Act, Item 5225-301-0001 (1)	Approve an augmentation	\$350,000  (0.4 percent of total project appropriations) (1.0 percent cumulative)
Board of State and Community Corrections (5227)	Adult Local Criminal Justice Facilities Project, Plumas County	Sections 15820.94 – 15820.948 of the Government Code (SB 844)	Approve performance criteria	
General Services (7760)	Central Plant Capitol Irrigation Project, Sacramento County	2016 Budget Act, Item 7760-301-0660 (1)	Approve a reversion	\$1,516,000